

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

RICK HARRISON, JOHN BUCKLEY III,
MARGARET LOPEZ, ANDY LOPEZ,
KEITH LORENSEN, LISA LORENSEN,
EDWARDS LOVE, ROBERT MCTUREOUS,
DAVID MORALES, GINA MORRIS,
MARTIN SONGER, JR., SHELLY SONGER,
JEREMY STEWARD, KESHA STIDHAM,
AARON TONEY, ERIC WILLIAMS, CARL
WINGATE, AND TRACY SMITH, as Personal
Representative of the Estate of Rubin Smith,

Plaintiffs/Petitioners,

vs.

THE REPUBLIC OF SUDAN,

Defendant,

vs.

NATIONAL BANK OF EGYPT,

Respondent.

Case No. 1:13-cv-03127 (AT)

**UNCONTESTED MOTION FOR ORDER
PROVIDING A LIMITED STAY OF
ENFORCEMENT OF TURNOVER
ORDER AND PROVIDING NOTICE TO
THIRD PARTIES OF TURNOVER
ORDER**

The Petitioners, by their undersigned attorneys, hereby move for entry of the proposed order, attached hereto as Exhibit “A” (the “Service Order”), approving procedures for providing notice to two third-parties of the Order dated October 23, 2013 directing National Bank of Egypt, New York Branch (“NBE” or “Garnishee”) to turn over proceeds of an OFAC blocked account (the “Blocked Assets”) to Petitioners. Petitioners submit that this notice is not required under the Foreign Sovereign Immunities Act or any other law prior to the turnover of Blocked Assets by NBE. However, Petitioners have agreed to a proposed limited stay of enforcement of the Turnover Order (ECF No. 8) to allow NBE the opportunity to send notification of the Turnover Order to two third-parties pursuant to the procedures in the Service Order. As more fully

explained in the proposed Service Order, the Service Order provides that, to the extent either third-party fails to appear and assert a claim to the Blocked Assets after a 30-day period, that third-party shall be deemed to waive any claims that the third-party may have against the Blocked Assets, or against the Garnishee or the Petitioners with respect to such Blocked Assets, and the Garnishee shall be discharged from further liability with respect to the Blocked Assets.

WHEREFORE, the Petitioners respectfully request that the Court enter the Service Order, attached hereto as Exhibit "A" granting this Motion, providing for a limited stay of enforcement of the Turnover Order, and providing for a notice procedure to two third-parties, and for such other and further relief as the Court deems just and proper.

Dated: New York, New York
November 4, 2013

/s Brandon R. Levitt
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Attorneys for Plaintiffs/Petitioners

CERTIFICATE OF SERVICE

WE HEREBY CERTIFY that a true and correct copy of the forgoing was filed electronically on the Court's ECF System and delivered via U.S. mail on this 4th day of November, 2013 to:

Republic of Sudan
Ali Ahmed Karti
Minister of Foreign Affairs
Embassy of the Republic of Sudan
2210 Massachusetts Avenue NW
Washington, DC 20008

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Counsel for Bank of Egypt

/s/ Brandon R. Levitt